

REMARKS

In response to the Office Action mailed December 20, 2004, Applicant submits herewith a Terminal Disclaimer to obviate the Examiner's Double Patenting rejection. It is noted the instant application is owned by NEC Electronics Corporation which is a subsidiary of NEC Corporation, the assignee of the '852 U.S. Patent. (See the attached). Thus, the instant application and the '852 patent are commonly owned, and a Terminal Disclaimer is proper.

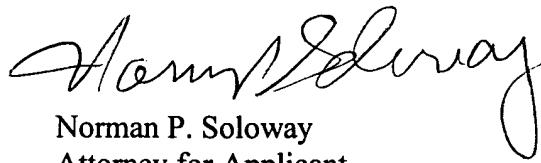
Additionally, Applicant notes that the rejection to the Information Disclosure Statement filed October 28, 2003 is moot, as the Examiner cited both references in question in the PTO-892 accompanying the subject Office Action.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action are respectfully requested.

Form PTO-2038 in the amount of \$130.00 is enclosed for the Disclaimer fee.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,


Norman P. Soloway
Attorney for Applicant
Reg. No. 24,315

HAYES SOLOWAY P.C.
130 W. CUSHING STREET
TUCSON, AZ 85701
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567